

APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF NEVADA HERETOFORE APPROPRIATED.

Date of first receipt and filing in State Engineer's office OCT 20 1944
 Returned to applicant for correction DEC 6 1944
 Corrected application filed DEC 12 1944

The undersigned Fred Bartine
(Name of applicant.)
 of Eureka, County of Eureka
 State of Nevada, hereby makes application for permission to change the point of diversion, and place of use.
 of water heretofore appropriated under permit No. 10682
(State nature of right that is the basis of this application, i. e., vested, decreed or permitted right.)

1. The source of water supply is Eureka Creek
2. The quantity of water desired to be changed 0.0492 c.f.s.
(Acre feet, second feet.)
3. The water is to be used for irrigation purposes
4. The water heretofore used for irrigation
5. Place of use under existing appropriation SE¹ SE¹ Sec. 11, T. 19 N., R. 53 E., M.D.B.&M.
(Under irrigation give number acres)
 and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)
6. Proposed place of use under this application 1.01 acres in SE¹ SE¹ Sec. 11, T. 19 N., R. 53 E., M.D.B.&M.
(Under irrigation give number acres)
Sec. 2: 3.08 acres in NE¹ NE¹ Sec. 11; 0.29 acres in NE¹ NE¹ Sec. 14, and 0.54 acres in NE¹ NE¹ Sec. 14, all in T. 19 N., R. 53 East MDM. (Total acres 4.92)
(If point of diversion is not changed do not answer.)
 and description in respect to Government Land Survey; under any other use give location as being within a 40-acre subdivision.)
7. The water is to be diverted from its source at the following point:
in the NE¹ NE¹ Sec. 14, T. 19 N., R. 53 East, or at a point from which the N.E. corner of said section 14 bears N. 15° 25' E. 878 feet.
(Describe as being within a 40-acre subdivision of public survey or by course and distance to a section corner.)
8. The existing point of diversion under the former appropriation is as follows: NE¹ NE¹ Sec. 14, T. 19 N., R. 53 E., which bears S. 49° 30' West from the N.E. corner of said Section a distance of 195 feet.
(If point of diversion is not changed do not answer.)
9. Number and kind of animals proposed to be watered
10. Use will begin about March 1 and end about Oct. 31 of each year.
(Month) (Month)
11. The water has been used heretofore during the months of March to November of each year.
12. Remarks

13. Description of proposed works Water will be diverted from Eureka Creek by means of an earth dam and diverted to lands to be irrigated by means of a ditch 24" wide at top and 12 inches deep, commencing at the place of diversion from Eureka creek and continuing through lands irrigated.

14. Estimated cost of works \$1000.00

15. Estimated time required to construct the works is

Compared At RMA

Fred Bartine

Applicant

By

Protested Jan. 23, 1945 by James Hunter. Protested Feb. 8, 1945 by A. C. Florio. Protest of James Hunter withdrawn. Protest of A. C. Florio withdrawn.

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of Eureka Creek as heretofore granted under Permit No. 10682 is issued subject to the terms and conditions imposed in said Permit No. 10682 and with the understanding that no other rights on the source will be affected by the change proposed herein. A substantial headgate and weir must be installed at or near the new point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water under the proposed change at any and all times. Period of use to be from April 1st to October 1st of each year.

The amount of water to be changed shall be limited to the amount which can be applied to beneficial use and not to exceed 0.0492 cubic foot per second.

Actual construction work shall begin on or before October 10, 1945

Proof of commencement of work shall be filed before November 10, 1945

Work must be prosecuted with reasonable diligence and be completed on or before October 10, 1946

Proof of completion of work shall be filed before November 10, 1946

Application of water to beneficial use shall be made on or before October 10, 1946. Proof of the application of water to beneficial use must be filed with State Engineer on or before November 10, 1946

Map Filed Oct. 29, 1944

Proof of commencement of work filed APR 27 1945 WITNESS MY HAND AND SEAL this 11th day

Proof of completion of work filed APR 27 1945

April , 1945

Proof of beneficial use filed APR 27 1945

Certificate No. 2891 Issued August 29 1945

Recorded Aug 31, 1945, R. C. Water, Page 138

Eureka County Records

ALFRED MERRITT SMITH

State Engineer

By

Assistant State Engineer

Compared At RMA